

Notice of Allowability

Application No.

10/053,636

Examiner

Korie H. Chan

Applicant(s)

ZHADANOV ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 2/8/2004.
2. ☒ The allowed claim(s) is/are 6-9, 12, and 14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date attached hereto.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ilya Zbarovsky on June 9, 2006.

The application has been amended as follows:

Claims 11 and 13 have been cancelled.

Claim 14 (new) A device for holding a showerhead comprising an attaching element attachable to a surface; and a holding element turnable relative to said attaching element, the attaching element being provided with a plurality of formations which are spaced from one another while the holding element is provided with at least one counter formation engageable with any of said first mentioned formations so as to fix said holding element relative to said attaching element in a corresponding position, said holding element having an elastically displaceable part on which said at least one counter formation is formed so that when said holding element is turned relative to said attaching element, said elastically displaceable part displaces and said at least one counter formation can display over a corresponding one of said first mentioned formations and to engage between two neighboring ones of said first mentioned formations, said holding element having a showerhead receiving area in communication with said elastically displaceable part such that when the showerhead is received in said

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receiving area, said elastically displaceable part can no longer displace and thereby said at least one counter formation can no longer move over a corresponding one of said first mentioned formations and thereby a position of said holding element relative to said attaching element is fixed.

Claim 6, line 1, "11" has been replaced with - -14 - -.

Claim 6, lines 2, "holding element" has been replaced with - - showerhead receiving area - -.

Claim 7, line 1, "11" has been replaced with - -14 - -.

Claim 8, line 1, "11" has been replaced with - -14 - -.

Claim 9, line 1, "11" has been replaced with - -14 - -.

Claim 12, line 1, "11" has been replaced with - -14 - -.

Claim 12, lines 2, "holding element" has been replaced with - - showerhead receiving area - -.

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: formal drawings will be provided. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

The following is an examiner's statement of reasons for allowance: The prior art of record alone or in combination fail to disclose a device as claimed having particularly a holding element with elastically displaceable part and a counter formation thereon

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wherein the elastically displaceable part is in communication with a showerhead receiving area such that when a shower head is received in the receiving area, the elastically displaceable part can no longer displace and thereby the at least one counter formation can no longer move over a corresponding one of the first mentioned formations and thereby a position of the holding element relative to the attaching element is fixed as recited in the independent claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Korie H. Chan whose telephone number is 571-272-6816. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on 571-272-6788. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Korie H. Chan
Primary Examiner
Art Unit 3632

khc
May 15, 2006